

DNR REGULATORY AGENDA FOR SFY 2008
FORM FOR REGULATORY ACTION DESCRIPTION

Rule Making Authority

Director ☐
Environmental Protection Commission (EPC) ☒
Natural Resource Commission (NRC) ☐
Energy & Geological Resource Division ☐

Title of Regulatory Action

Title V Fee Cap

Rule Chapter(s) that may be involved

567 IAC Chapter 22

Description of Contemplated Regulatory Action

(Including, to the extent reasonable and practicable, alternatives to be considered and preliminary estimate of costs and benefits of the Action)

The regulations contain a cap on the fees that may be assessed per ton of air pollutants. This modification would raise the cap to the presumptive minimum, which is set by the EPA.

Legal Basis

(Include whether action is required by statute or court order)

This action is intended to implement Iowa Code 455B.133.

Need for Regulatory Action

(Include if applicable how the action will reduce risk to public health, safety, or the environment)

Funding for the Title V program originates from fees on air emissions from the previous year. The department is anticipated reaching the existing cap on fees and needs to raise the cap on fees to maintain adequate funds to run the program for major sources. The raising of the fees is consistent with the goal of adjusting the fee as necessary to cover all reasonable costs required to develop and administer programs for major sources.

**Other Affected/Interested
Rule Making Authorities**

Iowa Department of Economic Development
U.S. EPA, IDOT

**Potential Public Groups
Impacted**

Iowa Association of Business and Industry
Current or prospective Title V facilities

Schedule:

(Actions & month/year)

EPC informational item by 06/08
Notice of Intended Action to be filed by 07/08
Public Hearing in 08/08
Final rule to EPC by 10/08

Staff Contact/Phone #

Wendy Rains 281-6061